

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36916 of 2020**

Arising Out of PS. Case No.-6 Year-2013 Thana- RAMGARHWA District-
East Champaran

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Md. Eslam @ Fulbabu Son of Gayasuddin Mian Resident of Village -
Bishambharapur, P.S.- Ramgarhwa, District - East Champaran (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Shankar Kumar, Advocate

For the State : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 25-02-2021

Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. This is the third attempt on behalf of the petitioner, who is in custody since 31.12.2017 and has renewed his prayer for bail in connection with Sessions Trial No. 207 of 2019 (CIS No. 207 of 2019) arising out of Ramgarhwa P.S. Case No. 06 of 2013, G.R. No. 39 of 2013 for the offences alleged under Sections 304(B)/34 of the Indian Penal Code having earlier been rejected by orders dated 31.10.2018 and 16.12.2019 in Cr. Misc. No. 51522 of 2018 and Cr. Misc. No. 67054 of 2019, respectively.

3. It is submitted that the petitioner has been falsely implicated and in any event it is submitted that the petitioner has already suffered more than three years and one month in custody, and claims clean antecedents.

4. Pursuant to the order dated 02.02.2021, status



report has been received from the learned Court below, according to which five prosecution witnesses have been examined and thereafter an application was filed on behalf of the prosecution that the remaining charge sheet witnesses are not proposed to be examined. The official witnesses are now to be examined for which steps have been taken. It is informed that the case is likely to be disposed of at the earliest.

5. Having heard learned counsel for the petitioner as well as the stage of trial, this Court sees no reason to take a different view in the matter of granting bail to the petitioner. The bail petition stands dismissed with observation that the learned trial court shall conclude the trial expeditiously and in any event preferably within a period of six months from today.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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